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Attorneys for Plaintiff  
TRAVELERS CASUALTY AND SURETY COMPANY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TRAVELERS CASUALTY AND  
SURETY COMPANY,

Plaintiff,

v.

THE ROMAN CATHOLIC BISHOP OF  
OAKLAND, A CORPORATION SOLE,

Defendant.

Case No. 05-0915 SBA

**STIPULATION AND ORDER OF DISMISSAL  
WITHOUT PREJUDICE**

[Fed. R. Civ. P., Rule 41(a)(1)]

1 IT IS HEREBY STIPULATED by and between plaintiff TRAVELERS  
2 CASUALTY AND SURETY COMPANY and defendant THE ROMAN CATHOLIC BISHOP  
3 OF OAKLAND, A CORPORATION SOLE through their respective counsel that the above-  
4 captioned matter shall be and is hereby dismissed *without prejudice* pursuant to Rule  
5 41(a)(1). Each party shall bear its own costs and attorneys' fees in connection with the  
6 above-captioned matter.

7 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

8  
9 Dated: December 8, 2005

DRINKER BIDDLE & REATH LLP

10 /s/ Cheryl A. Sabnis  
11 CHERYL A. SABNIS

12 Attorneys for Plaintiff  
13 TRAVELERS CASUALTY AND  
SURETY COMPANY

14 Dated: December 8, 2005

FOLEY & LARDNER, LLP

15  
16 /s/ Robert C. Leventhal  
ROBERT C. LEVENTHAL

17 Attorneys for Defendant  
18 THE ROMAN CATHOLIC BISHOP OF  
OAKLAND, A CORPORATION SOLE

19 **CERTIFICATION**

20 Plaintiff attests that Robert C. Leventhal concurs in the filing of this Stipulation  
21 and [Proposed] Order of Dismissal Without Prejudice.  
22

23 Dated: December 8, 2005

DRINKER BIDDLE & REATH LLP

24 /s/ Cheryl A. Sabnis  
25 CHERYL A. SABNIS

26 Attorneys for Plaintiff  
27 TRAVELERS CASUALTY AND  
SURETY COMPANY

1           **PURSUANT TO STIPULATION, IT IS SO ORDERED** that the above -  
2 captioned action is hereby dismissed *without prejudice* pursuant to Rule 41(a)(1). Each  
3 party shall bear its own costs and attorneys' fees in connection with the above-captioned  
4 matter.

5  
6  
7 Dated: 12/7/05



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Saundra B. Armstrong  
UNITED STATES DISTRICT JUDGE